



Cynthia S. Betz
Associate
T. 973-848-5377
F. 973-297-6636
cbetz@mccarter.com

McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056
www.mccarter.com

December 9, 2022

VIA ECF

Hon. Michael A. Hammer
United States Magistrate Judge
U.S. District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: *Merck & Co., Inc., et. al. v. Merck KGAA*
Civil Action No. 16-266 (ES/MAH)

Dear Judge Hammer:

We, along with Sidley Austin, represent Plaintiffs Merck & Co., Inc. and Merck Sharp & Dohme Corp. in this matter. With the consent of Blank Rome LLP and Debevoise & Plimpton LLP, counsel for Defendant Merck KGaA, Darmstadt, Germany, we are writing with an update as requested by the Court's Text Order of December 1, 2022 (D.E. 209).

The parties are continuing their discussions and therefore respectfully request a short extension to Monday, December 12, to provide a further update to Your Honor.

We appreciate the Court's attention to this matter.

Respectfully submitted,

/s/ Cynthia S. Betz

Cynthia S. Betz

cc: Counsel of Record (via ECF)

SO ORDERED

s/ Michael A. Hammer
Michael A. Hammer, U.S.M.J.

Date: 12/12/2022